

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Wendy W. Lux)	
)	
Certificate 171509)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 9, 2006. On March 20, 2006, the Office of Educator Certification sent Wendy W. Lux a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Lux received the notice, as evidenced by a postal receipt. Ms. Lux originally requested a hearing, but subsequently withdrew her request by letter of April 20, 2006. After considering the information presented, the State Board voted to suspend Ms. Lux's certificate for one year.

FINDINGS OF FACT

Ms. Lux holds a valid South Carolina educator certificate with over eleven years of teaching experience. Ms. Lux held a contract for the 2005-2006 school year with Lexington County School District Two (District), and was assigned as a Math teacher at Fulmer Middle School. On January 17, 2006, Ms. Lux notified the District that her last day of employment would be January 27, 2006. On January 19, 2005, the District notified Ms. Lux that she would not be released from her contract until a suitable replacement was found. Ms. Lux left her position on January 27, 2006. The District Board of Trustees voted on February 21, 2006, to request the suspension of Ms. Lux's certificate as a result of her breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient information to support the conclusion that Ms. Lux breached her contract with Lexington County School District Two, warranting the suspension of Ms. Lux's certificate 171509 for a period of one year from May 9, 2006, through May 8, 2007. Should Ms. Lux wish to have her certificate reinstated at the end of the suspension period, she may make a written request for reinstatement to the Office of Educator Certification.

South Carolina State Board of Education

By: /S/ Joe Isaac

Joe Isaac, Chair

Columbia, South Carolina

May 9, 2006